

WEDNESDAY, APRIL 18, 2012

SEVENTY-FIFTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Joe Sanchez, Oak Street Baptist Church, Soddy Daisy, TN.

Representative Floyd led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 96

Representatives present were Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 750 Rep(s). White, Hall, Evans and K. Brooks as prime sponsor(s).

House Joint Resolution No. 773 Rep(s). Shipley, D. Miller, Weaver, Elam, Halford, Dunn, Butt, Floyd and Marsh as prime sponsor(s).

House Joint Resolution No. 843 Rep(s). Shipley, Evans, Marsh and Wirgau as prime sponsor(s).

House Joint Resolution No. 934 Rep(s). Weaver, Sexton, Marsh, Elam, D. Miller, Wirgau, Hall, Evans, Rich and Butt as prime sponsor(s).

House Joint Resolution No. 959 Rep(s). Gilmore as prime sponsor(s).

House Joint Resolution No. 966 Rep(s). Casada as prime sponsor(s).

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

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House Joint Resolution No. 972 Rep(s). Evans as prime sponsor(s).

House Joint Resolution No. 975 Rep(s). Hurley as prime sponsor(s).

House Joint Resolution No. 976 Rep(s). Rich, Evans and R. Williams as prime sponsor(s).

House Bill No. 2193 Rep(s). Holt as prime sponsor(s).

House Bill No. 2389 Rep(s). Hardaway, Favors, Lollar, White, Weaver, Hurley, Hensley, Alexander, McManus, R. Williams, Shipley, Eldridge, Dean, Hill, Watson, Richardson, Cobb, Butt, Stewart, Holt, Brown, Todd, K. Brooks, Towns, Maggart, Wirgau, Roach, Shepard, Sanderson, Parkinson, C. Johnson, J. Turner, Fitzhugh and Elam as prime sponsor(s).

House Bill No. 2938 Rep(s). Shaw, Brown and Favors as prime sponsor(s).

House Bill No. 3322 Rep(s). Hardaway, Brown, McCormick, Favors and Eldridge as prime sponsor(s).

House Bill No. 3394 Rep(s). Hardaway, Cobb, Maggart, Richardson, K. Brooks, Moore, Camper, Favors, Faison, Swann, Matheny, Womick, Alexander, Brown, Elam, Dean, L. Miller, D. Miller, Parkinson, McDonald, Coley, Wirgau, Evans, Hawk, McManus, Hurley, Montgomery, Windle, Sargent, Gilmore, Shaw, Hall, Pruitt, Towns, Harrison, Forgety, Carr, Rich, Hensley, Marsh, Tidwell, Watson, Armstrong, Gotto, Halford, Floyd, Ford, Bass, Holt, Powers, J. Turner, Dunn, B. Cooper, H. Brooks, Weaver, R. Williams, Roach, White, Shepard, Shipley and Butt as prime sponsor(s).

House Bill No. 3517 Rep(s). Rich, Dean, Faison, D. Miller and Butt as prime sponsor(s).

MESSAGE FROM THE SENATE

April 18, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 765, 766, 767, 768, 769, 770, 771, 772, 773, 774 and 775; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Joint Resolution No. 765 -- Memorials, Retirement - Barry Cooper. by *Tracy.

Senate Joint Resolution No. 766 -- Memorials, Recognition - Paul Agee, Wilson County Agricultural Hall of Fame. by *Beavers.

Senate Joint Resolution No. 767 -- Memorials, Recognition - Betty Delaine Bradford Freeman, Wilson County Agricultural Hall of Fame. by *Beavers.

Senate Joint Resolution No. 768 -- Memorials, Recognition - Newell Jenkins, Wilson County Agricultural Hall of Fame. by *Beavers.

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Senate Joint Resolution No. 769 -- Memorials, Recognition - Charles Willoughby, Wilson County Agricultural Hall of Fame. by *Beavers.

Senate Joint Resolution No. 770 -- Memorials, Recognition - White House Heritage High School, TVA Green Schools Program. by *Roberts.

Senate Joint Resolution No. 771 -- Memorials, Recognition - Greenbrier Middle School, Tennessee Valley Authority Green Schools Program. by *Roberts.

Senate Joint Resolution No. 772 -- Memorials, Recognition - Jo Byrns Elementary School, TVA Green Schools Program. by *Roberts.

Senate Joint Resolution No. 773 -- Memorials, Death - Joyce Hicks Burchett. by *Massey, *Tracy, *Faulk, *Watson, *Johnson, *Bell, *Burks, *Beavers, *Ketron, *Southerland, *Overbey, *Kelsey, *Ramsey, *Henry, *Haynes, *Herron, *Ford, *Berke, *Campfield, *Stewart, *Summerville, *Gresham, *Roberts, *Yager, *Crowe, *Norris, *Barnes, *Finney L, *Kyle, *Harper, *Marrero, *Tate, *McNally.

Senate Joint Resolution No. 774 -- Memorials, Sports - Donelson Christian Academy boys' basketball team, Division II-A champion. by *Haynes.

Senate Joint Resolution No. 775 -- Memorials, Interns - Greg Dowell. by *Crowe.

PERSONAL ORDERS

PRESENT IN CHAMBER

Representative(s) Elam, P. Johnson and Sanderson was/were recorded as being present in the Chamber.

RECOGNITION IN THE WELL

Representative Curtiss was recognized in the Well in order to honor Representative Bass' service to the State of Tennessee.

RULES SUSPENDED

Rep. Curtiss moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 773 out of order, which motion prevailed.

House Joint Resolution No. 773 -- Memorials, Public Service - Representative Eddie Bass. by *Curtiss, *Pitts, *Towns, *McDonald, *Turner J, *Harmon, *Pruitt, *Favors, *Stewart, *Miller L, *Moore, *Gilmore, *Dean, *Richardson, *Windle, *Odom, *Cooper B, *Kernell, *Shepard, *DeBerry L, *Naifeh, *Tidwell, *Tindell, *Sontany, *Shaw, *Brown, *Turner M, *Parkinson, *Armstrong, *DeBerry J, *Camper, *Fitzhugh, *Hardaway, *Jones S.

On motion, the rules were suspended for the immediate consideration of the resolution.

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On motion of Rep. Curtiss, the resolution was adopted by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Cobb, Coley, Cooper, Dean, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **House Joint Resolution No. 773** and have this statement entered in the Journal: Rep(s). Casada.

PERSONAL ORDERS, CONTINUED

RECOGNITION IN THE WELL

Representatives Armstrong, H. Brooks and Fitzhugh, joined by the Knox County delegation, were recognized in the Well in order to honor Representative Tindell’s service to the State of Tennessee.

RULES SUSPENDED

Rep. Armstrong moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 843 out of order, which motion prevailed.

House Joint Resolution No. 843 -- Memorials, Public Service - Representative Harry Tindell. by *Armstrong, *Brown, *Favors, *Hardaway, *Tidwell, *Bass, *Turner M, *Stewart, *Camper, *DeBerry L, *Harmon, *Pitts, *Pruitt, *Odom, *Moore, *Gilmore, *Towns, *Cooper B, *Sontany, *Jones S, *Windle, *Miller L, *Curtiss, *Turner J, *McDonald, *DeBerry J, *Shaw, *Shepard, *Richardson, *Kernell, *Naifeh, *Fitzhugh.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Armstrong, resolution was adopted by the following vote:

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VERSION**

Ayes 95
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry L, Dennis, Dunn, Elam, Eldridge, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **House Joint Resolution No. 843** and have this statement entered in the Journal: Rep(s). Casada.

PERSONAL ORDERS, CONTINUED

RECOGNITION IN THE WELL

Representative Maggart, joined by Representatives Sargent, K. Brooks and Dean, was recognized in the Well in order to honor Representative P. Johnson's service to the State Tennessee.

RULES SUSPENDED

Rep. Maggart moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 934 out of order, which motion prevailed.

House Joint Resolution No. 934 -- Memorials, Public Service - Representative Phillip Johnson. by *Maggart, *Sargent, *Ragan, *Haynes, *Coley, *Niceley, *Dean, *Brooks K, *Carr, *Williams R, *Ramsey, *White, *Sparks, *McCormick, *Floyd.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Maggart, resolution was adopted by the following vote:

Ayes 99
Noes..... 0

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Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 99

A motion to reconsider was tabled.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the following resolution(s) listed was/were introduced and referred to the appropriate Committee:

House Joint Resolution No. 960 -- Memorials, Recognition - Women's Heart Health Initiative. by *Favors, *Armstrong, *DeBerry L, *Camper, *Richardson, *Pruitt, *Turner J, *Cooper B, *Sontany, *Jones S, *Brown.

House State and Local Government Committee

House Joint Resolution No. 965 -- Naming and Designating - Designates May as "Lupus Awareness Month" and May 10, 2012, as "World Lupus Day in Tennessee." by *Sargent.

House State and Local Government Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 19, 2012:

House Resolution No. 256 -- Memorials, Recognition - Reverend Dr. Coleman Crawford, Jr. by *Miller L.

House Resolution No. 257 -- Memorials, Interns - Frank Bishop. by *White, *Hardaway.

House Resolution No. 258 -- Memorials, Academic Achievement - Stephanie Jordan, Salutatorian, Mitchell High School. by *Turner J.

House Resolution No. 259 -- Memorials, Academic Achievement - Bri'Anna Olivia Tate, Valedictorian, Westwood High School. by *Turner J.

House Resolution No. 260 -- Memorials, Academic Achievement - Alexis Harper, Valedictorian, Mitchell High School. by *Turner J.

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House Resolution No. 261 -- Memorials, Academic Achievement - Jaundra T. Clark, Salutatorian, Fairley High School. by *Turner J.

House Resolution No. 262 -- Memorials, Academic Achievement - Ashley Johnson, Valedictorian, Kirby High School. by *Turner J.

House Resolution No. 263 -- Memorials, Academic Achievement - Melvin Rucker, Salutatorian, Kirby High School. by *Turner J.

House Resolution No. 264 -- Memorials, Academic Achievement - Brandi Wells, Valedictorian, Fairley High School. by *Turner J.

House Resolution No. 265 -- Memorials, Academic Achievement - Enrique Deon Smith, Salutatorian, Westwood High School. by *Turner J.

House Joint Resolution No. 978 -- Memorials, Personal Occasion - Barbara and Sam Freeman, 50th wedding anniversary. by *Evans.

House Joint Resolution No. 979 -- Memorials, Interns - Suzanne Elizabeth Carr. by *Armstrong, *Tindell, *Favors.

House Joint Resolution No. 981 -- Memorials, Interns - Stephen Thomas Doyle. by *McCormick.

House Joint Resolution No. 982 -- Memorials, Recognition - WUTM 90.3 The Hawk, Abraham and Borst Award for Best Overall Radio Station in the Nation. by *Fitzhugh.

House Joint Resolution No. 983 -- Memorials, Personal Achievement - Andrew Robert Quilliams, Eagle Scout. by *Montgomery.

House Joint Resolution No. 984 -- Memorials, Interns - Kristi Roberts. by *Montgomery.

House Joint Resolution No. 985 -- Memorials, Recognition - Reverend Dr. Coleman Crawford, Jr. by *Miller L.

House Joint Resolution No. 986 -- Memorials, Recognition - Mount Vernon Missionary Baptist Church, 110th anniversary. by *Turner J.

House Joint Resolution No. 987 -- Memorials, Recognition - Gallatin Lions Club, 75th anniversary. by *Maggart.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for April 19, 2012:

Senate Joint Resolution No. 765 -- Memorials, Retirement - Barry Cooper. by *Tracy.

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Senate Joint Resolution No. 766 -- Memorials, Recognition - Paul Agee, Wilson County Agricultural Hall of Fame. by *Beavers.

Senate Joint Resolution No. 767 -- Memorials, Recognition - Betty Delaine Bradford Freeman, Wilson County Agricultural Hall of Fame. by *Beavers.

Senate Joint Resolution No. 768 -- Memorials, Recognition - Newell Jenkins, Wilson County Agricultural Hall of Fame. by *Beavers.

Senate Joint Resolution No. 769 -- Memorials, Recognition - Charles Willoughby, Wilson County Agricultural Hall of Fame. by *Beavers.

Senate Joint Resolution No. 770 -- Memorials, Recognition - White House Heritage High School, TVA Green Schools Program. by *Roberts.

Senate Joint Resolution No. 771 -- Memorials, Recognition - Greenbrier Middle School, Tennessee Valley Authority Green Schools Program. by *Roberts.

Senate Joint Resolution No. 772 -- Memorials, Recognition - Jo Byrns Elementary School, TVA Green Schools Program. by *Roberts.

Senate Joint Resolution No. 773 -- Memorials, Death - Joyce Hicks Burchett. by *Massey, *Tracy, *Faulk, *Watson, *Johnson, *Bell, *Burks, *Beavers, *Ketron, *Southerland, *Overbey, *Kelsey, *Ramsey, *Henry, *Haynes, *Herron, *Ford, *Berke, *Campfield, *Stewart, *Summerville, *Gresham, *Roberts, *Yager, *Crowe, *Norris, *Barnes, *Finney L, *Kyle, *Harper, *Marrero, *Tate, *McNally.

Senate Joint Resolution No. 774 -- Memorials, Sports - Donelson Christian Academy boys' basketball team, Division II-A champion. by *Haynes.

Senate Joint Resolution No. 775 -- Memorials, Interns - Greg Dowell. by *Crowe.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 3885 -- Clarksville - As introduced, subject to local approval, rewrites the charter. - Amends Chapter 252 of the Private Acts of 1929; as amended. by *Pitts, *Johnson C, *Johnson P.

House Bill No. 3886 -- Lake County - As introduced, subject to local approval, restructures Lake County highway commission by increasing the number of highway commission districts from two to three, to be coextensive with the county commission districts. - Amends Chapter 262 of the Private Acts of 1980, as amended. by *Sanderson.

House Bill No. 3887 -- Lake County - As introduced, subject to local approval, reduces number of school districts from four to three; increases Lake County board of education from eight members to nine members. - Amends Chapter 119 of the Private Acts of 2002. by *Sanderson.

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 18, 2012**, reported the following:

EDUCATION COMMITTEE

The Education Committee recommended for passage: House Bill(s) No(s). 3238 and Senate Joint Resolution(s) No(s). 552, also House Bill(s) No(s). 3583, 2738, 3621 and 3108 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 3496 and 2315 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee also transmitted the following bill(s) to the Government Operations Committee for review: House Bill(s) No(s). 3098 with amendments.

The Committee reports that House Bill No. 2932 was considered, but failed to pass.

FINANCE, WAYS AND MEANS COMMITTEE

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 3584, 2346, 3234, 1384, 1455 and 3874, also House Bill(s) No(s). 2678, 2888 and 3289 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

STATE AND LOCAL GOVERNMENT COMMITTEE

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 3881, 3877, 3882 and House Joint Resolution(s) No(s). 816, also House Bill(s) No(s). 3851 and 3879 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Joint Resolution(s) No(s). 810, 872, 863 and Senate Joint Resolution(s) No(s). 629. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

CONSENT CALENDAR

House Resolution No. 247 -- Memorials, Interns - Matthew Schwimmer. by *Todd.

House Resolution No. 248 -- Memorials, Recognition - Martha Dandridge Garden Club, 85th anniversary. by *Niceley, *Faison.

House Resolution No. 249 -- Memorials, Academic Achievement - Elsie Chang, Valedictorian, Central High School. by *Favors.

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House Resolution No. 250 -- Memorials, Academic Achievement - Dora Harper, Salutatorian, Central High School. by *Favors.

House Resolution No. 251 -- Memorials, Academic Achievement - Rachel Shelton, Salutatorian, Central High School. by *Favors.

House Resolution No. 252 -- Memorials, Academic Achievement - Corey Durand Hemphill, Salutatorian, Brainerd High School. by *Favors.

House Resolution No. 253 -- Memorials, Academic Achievement - Tiara Rashael Boston, Valedictorian, Brainerd High School. by *Favors.

House Resolution No. 254 -- Memorials, Academic Achievement - Shaylind Nance, Salutatorian, Tyner Academy. by *Favors.

House Resolution No. 255 -- Memorials, Academic Achievement - Jaren Alexander, Valedictorian, Tyner Academy. by *Favors.

House Joint Resolution No. 959 -- Memorials, Personal Occasion - Etta Mae Driver Rayborn, 75th birthday. by *Camper, *Richardson, *Shepard, *Coley, *DeBerry L, *Armstrong, *DeBerry J, *Brown, *Favors, *Parkinson, *Hardaway, *Towns, *Turner J, *Cooper B, *Naifeh, *Miller L.

House Joint Resolution No. 961 -- Memorials, Recognition - Saint Mark Missionary Baptist Church. by *Camper, *Richardson, *Todd.

House Joint Resolution No. 962 -- Memorials, Retirement - Dr. Doyle Meadows. by *Marsh.

House Joint Resolution No. 963 -- Memorials, Retirement - Lieutenant Richard Earl Cash, THP. by *Casada, *Sargent.

House Joint Resolution No. 964 -- Memorials, Recognition - Zackary "Google" Welch. by *Swann.

House Joint Resolution No. 966 -- Memorials, Recognition - Williamson County Association of Realtors, 50th anniversary. by *Sargent.

House Joint Resolution No. 967 -- Memorials, Recognition - Christian Brothers Band, 140th anniversary. by *White, *McManus, *McCormick.

House Joint Resolution No. 968 -- Memorials, Recognition - Lake Forest Middle School Show Choir. by *Brooks K, *Watson.

House Joint Resolution No. 969 -- Memorials, Interns - Bruce Harbin. by *Holt.

House Joint Resolution No. 970 -- Memorials, Recognition - Bethel University. by *Holt.

House Joint Resolution No. 971 -- Memorials, Interns - Cassiah Smith. by *Casada.

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House Joint Resolution No. 972 -- Memorials, Interns - Byron Glenn. by *Casada.

House Joint Resolution No. 973 -- Memorials, Interns - Angel Dunson. by *Casada.

House Joint Resolution No. 974 -- Memorials, Professional Achievement - Sherri Brinkley, East Tennessee ESL Teacher of the Year. by *Matlock.

House Joint Resolution No. 975 -- Memorials, Professional Achievement - Glenn McNish, George L. Hunter Distinguished Service Award and Greater Knoxville Sports Hall of Fame. by *Matlock.

House Joint Resolution No. 976 -- Memorials, Recognition - Jimmy Wayne. by *White.

House Joint Resolution No. 977 -- Memorials, Retirement - Kay Garrison. by *Ramsey.

Senate Joint Resolution No. 751 -- Memorials, Death - Joe "Tiger Joe" Thompson, Jr. by *Henry.

Senate Joint Resolution No. 752 -- Memorials, Academic Achievement - Ashley Thi Truong, Valedictorian, Kingsbury High School. by *Kyle, *Ford, *Marrero.

Senate Joint Resolution No. 753 -- Memorials, Academic Achievement - Keriyon Hunter, Salutatorian, Kingsbury High School. by *Kyle, *Ford, *Marrero.

Senate Joint Resolution No. 754 -- Memorials, Academic Achievement - Kara Skjoldager, Valedictorian, Central High School. by *Kyle, *Ford, *Marrero.

Senate Joint Resolution No. 755 -- Memorials, Academic Achievement - Elizabeth Forester, Salutatorian, Central High School. by *Kyle, *Ford, *Marrero.

Senate Joint Resolution No. 756 -- Memorials, Academic Achievement - Jordaan Tiara McGill, Salutatorian, Central High School. by *Kyle, *Ford, *Marrero.

Senate Joint Resolution No. 757 -- Memorials, Death - Robert Eugene Tipton, Jr. by *Kyle, *Ford, *Kelsey, *Marrero, *Norris, *Tate.

Senate Joint Resolution No. 758 -- Memorials, Death - Ryan Barek Edwards. by *Kyle, *Ford, *Kelsey, *Norris, *Tate.

Senate Joint Resolution No. 761 -- Memorials, Recognition - Catholic Charities of Tennessee, Inc., 50th Anniversary. by *Henry, *Berke, *Finney L, *Harper, *Haynes, *Herron, *Marrero, *Massey, *McNally.

Senate Joint Resolution No. 763 -- Memorials, Public Service - Senator Mike Faulk. by *Ramsey, *Overbey, *Norris, *Bell, *Crowe, *Tracy, *Campfield, *Summerville, *Kelsey, *Gresham, *Berke, *Burks, *Ketron, *Tate, *Yager, *Massey, *Roberts, *Beavers, *Ford, *Marrero, *Kyle, *Finney L, *Harper, *Barnes, *McNally, *Haynes, *Johnson, *Southerland, *Watson, *Stewart, *Herron, *Henry.

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Senate Joint Resolution No. 764 -- Memorials, Recognition - Reverend Stanford L. Hunt. by *Kyle, *Ford.

Rep. Todd moved that all members voting aye on House Resolution No. 247 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

Rep. Camper moved that all members voting aye on House Joint Resolution No. 959 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

Rep. Gilmore moved that the Davidson County delegation be added as co-prime sponsors on Senate Joint Resolution No. 751, which motion prevailed.

Rep. Gilmore moved that the Davidson County delegation be added as co-prime sponsors on Senate Joint Resolution No. 761, which motion prevailed.

Rep. White moved that the Shelby County delegation be added as co-prime sponsors on House Joint Resolution No. 967, which motion prevailed.

Rep. White moved that the Shelby County delegation be added as co-prime sponsors on Senate Joint Resolution No. 757, which motion prevailed.

Rep. White moved that the Shelby County delegation be added as co-prime sponsors on Senate Joint Resolution No. 758, which motion prevailed.

Rep. White moved that all members voting aye on House Joint Resolution No. 976 be added as co-prime sponsors, which motion prevailed.

Rep. Favors moved that the Hamilton County delegation be added as co-prime sponsors on House Resolution No. 249, which motion prevailed.

Rep. Favors moved that the Hamilton County delegation be added as co-prime sponsors on House Resolution No. 250, which motion prevailed.

Rep. Favors moved that the Hamilton County delegation be added as co-prime sponsors on House Resolution No. 251, which motion prevailed.

Rep. Favors moved that the Hamilton County delegation be added as co-prime sponsors on House Resolution No. 252, which motion prevailed.

Rep. Favors moved that the Hamilton County delegation be added as co-prime sponsors on House Resolution No. 253, which motion prevailed.

Rep. Favors moved that the Hamilton County delegation be added as co-prime sponsors on House Resolution No. 254, which motion prevailed.

Rep. Favors moved that the Hamilton County delegation be added as co-prime sponsors on House Resolution No. 255, which motion prevailed.

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Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 99
Noes 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 99

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 3381** -- Alcoholic Beverages - As introduced, authorizes the Inn at Long Branch on Dale Hollow Lake in Clay County to obtain a license as a premier type tourist resort. - Amends TCA Section 57-4-102. by *Armstrong. (SB3248 by *Yager)

Further consideration of House Bill No. 3381 previously considered on April 4, 2012, at which time it was reset for today's Regular Calendar.

Rep. Armstrong moved that House Bill No. 3381 be passed on third and final consideration.

Rep. Ramsey moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3381 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION 2. Tennessee Code Annotated, Section 57-4-102(26), is amended by adding the following language as a new, appropriately designated subdivision:

() A hotel possessing all of the following characteristics:

(i) Contains at least twenty five (25) rooms for the sleeping accommodations of guests;

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(ii) Is registered as a National Historic Landmark

(iii) Is located within a Central Business Improvement District; and

(iv) Is located in any county having a population of less than four hundred thirty-two thousand two hundred (432,200) nor more than four hundred thirty-two thousand three hundred (432,300) according to the 2010 federal census or any subsequent federal census.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Tindell moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Tindell moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 3381 by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 57-4-102(26)(GGG)(v), is amended by deleting the language "serves meals at least four (4) days on a weekly basis," and by substituting instead the language "has food available,"

On motion, Amendment No. 3 was adopted.

Rep. Ramsey moved adoption of Amendment No. 4 as follows:

Amendment No. 4

AMEND House Bill No. 3381 By deleting the language "of less than" in subdivision (iv) of Section 2 which amends § 57-4-102(26) and by substituting instead the language "of not less than".

On motion, Amendment No. 4 was adopted.

Rep. Armstrong moved that **House Bill No. 3381**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	76
Noes.....	18
Present and not voting.....	4

Representatives voting aye were: Armstrong, Bass, Brooks H, Brown, Camper, Carr, Casada, Cobb, Coley, Cooper, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Favors, Fitzhugh, Ford, Forgety, Gilmore, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lundberg, Maggart, Marsh, Matheny, McCormick, McDaniel, McManus, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns,

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Turner J, Turner M, Weaver, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell
-- 76

Representatives voting no were: Brooks K, Curtiss, Dean, DeBerry J, Floyd, Gotto, Hensley, Hill, Holt, Lollar, Matlock, McDonald, Miller D, Pitts, Roach, Watson, White, Windle -- 18

Representatives present and not voting were: Alexander, Butt, Campbell, Pody -- 4

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "aye" to "no" on **House Bill No. 3381** and have this statement entered in the Journal: Rep(s). H. Brooks and Dunn.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "no" to "aye" on **House Bill No. 3381** and have this statement entered in the Journal: Rep(s). Richardson.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "aye" to "present and not voting" on **House Bill No. 3381** and have this statement entered in the Journal: Rep(s). Powers.

REGULAR CALENDAR, CONTINUED

***House Bill No. 3396** -- Industrial Development - As introduced, includes land, improvements, and machinery used or suitable for use in the production, treatment, processing, or transportation of biofuels and other similar products in the definition of "project" under the provisions governing projects by industrial development corporations. - Amends TCA Title 7, Chapter 53. by *Swann. (SB3233 by *Overbey)

Further consideration of House Bill No. 3396 previously considered on April 11, 2012, at which time it was reset for today's Regular Calendar.

On motion, House Bill No. 3396 was made to conform with **Senate Bill No. 3233**; the Senate Bill was substituted for the House Bill.

Rep. Swann moved that **Senate Bill No. 3233** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, 5055

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Hurley, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

***House Bill No. 2389** -- Sentencing - As introduced, establishes increased punishment for second and subsequent convictions for domestic assault. - Amends TCA Title 39; Title 40 and Title 41. by *McCormick, *Coley, *Moore, *Jones S. (SB2251 by *Norris, *Overbey, *Kyle)

Rep. Coley moved that House Bill No. 2389 be passed on third and final consideration.

Rep. Watson moved that Judiciary Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Watson moved adoption of Judiciary Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2389 by deleting the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-13-111(c), is amended by deleting the current subdivision (1), by adding the following as new subdivisions (1), (2), (3), and (4) and by renumbering the existing subdivisions accordingly:

(1) A first conviction for domestic assault and a second or subsequent conviction for domestic assault committed in a manner prohibited by § 39-13-101 (a)(2) and (a)(3) is punishable the same as assault under § 39-13-101, and additionally, as provided in subdivisions (c)(2) and (c)(3) and subsection (d) of this section.

(2) A second conviction for domestic assault committed in a manner prohibited by § 39-13-101(a)(1), is punishable by a fine of not less than three hundred fifty dollars (\$350) nor more than three thousand five hundred dollars (\$3,500), and by confinement in the county jail or workhouse for not less than thirty (30) days, nor more than eleven (11) months and twenty-nine (29) days.

(3) A third or subsequent conviction for domestic assault committed in a manner prohibited by § 39-13-101(a)(1), is punishable by a fine of not less than one thousand one hundred dollars (\$1,100) nor more than five thousand dollars (\$5,000), and by confinement in the county jail or workhouse for not less than ninety (90) days, nor more than eleven (11) months and twenty-nine (29) days.

(4) For purposes of this section, a person who is convicted of a violation of § 39- 13-111, committed in a manner prohibited by § 39-13-101(a)(1), shall not be subject to the enhanced penalties prescribed in this subsection (c), if ten (10)

or more years have elapsed between the date of the present violation and the date of any immediately preceding violation of 39-13-111, committed in a manner prohibited by § 39-13-101(a)(1), that resulted in a conviction for such offense.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 2 was adopted.

Rep. Bass moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 2389 By deleting the effective date clause and substituting instead the following:

SECTION____. This act be of no effect until fourteen (14) days after the date the state has provided full funding to local governments for all costs incurred in incarcerating persons who are sentenced to imprisonment pursuant to this act.

Rep. Coley moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes	50
Noes.....	40

Representatives voting aye were: Armstrong, Brooks H, Brooks K, Butt, Carr, Cobb, Coley, Dean, Dennis, Dunn, Elam, Eldridge, Faison, Favors, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Holt, Hurley, Johnson C, Johnson P, Lollar, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Montgomery, Powers, Ragan, Ramsey, Rich, Roach, Sargent, Sexton, Shipley, Sparks, Todd, Watson, Weaver, White, Williams K, Williams R, Madam Speaker Harwell -- 50

Representatives voting no were: Alexander, Bass, Brown, Camper, Cooper, Curtiss, DeBerry L, Fitzhugh, Floyd, Gilmore, Hardaway, Harmon, Hensley, Hill, Jones, Keisling, Kernell, Lundberg, McDonald, Miller D, Miller L, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Pruitt, Shaw, Shepard, Sontany, Stewart, Swann, Tidwell, Towns, Turner J, Turner M, Windle, Womick -- 40

Rep. Hardaway moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. Hardaway moved that Amendment No. 5 be withdrawn, which motion prevailed.

Rep. Rich moved the previous question, which motion prevailed.

Rep. Coley moved that **House Bill No. 2389**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	98
Noes.....	1

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Representatives voting aye were: Alexander, Armstrong, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

Representatives voting no were: Bass -- 1

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. C. Johnson voted "aye" on **House Bill No. 2389**.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2193** -- Unemployment Compensation - As introduced, makes ineligible for benefits those claimants who were discharged after having agreed in writing to obtain a license or certification by a specified date and then have failed to do so. - Amends TCA Title 50, Chapter 7. by *Johnson C. (SB3241 by *Barnes)

On motion, House Bill No. 2193 was made to conform with **Senate Bill No. 3241**; the Senate Bill was substituted for the House Bill.

Rep. C. Johnson moved that Senate Bill No. 3241 be passed on third and final consideration.

Rep. Eldridge moved adoption of Consumer and Employee Affairs Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 3241 By deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 50-7-303(a)(2), is amended by adding the following as a new subdivision (2)(C):

(C) A discharge shall be deemed to be a discharge for misconduct connected with the claimant's work when it results after a claimant entered into a written agreement with an employer to obtain a license or certification by a specified date as a condition of employment

and subsequently the claimant willfully fails without good cause to obtain such license or certification by the specified date.

On motion, Consumer and Employee Affairs Committee Amendment No. 1 was adopted.

Rep. Pitts moved the previous question, which motion prevailed.

Rep. C. Johnson moved that **Senate Bill No. 3241**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 87
Noes..... 9

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Swann, Tidwell, Tindell, Todd, Turner J, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 87

Representatives voting no were: Favors, Hardaway, Jones, McDonald, Parkinson, Richardson, Stewart, Towns, Windle -- 9

A motion to reconsider was tabled.

***House Bill No. 3394** -- Courts - As introduced, authorizes creation of veterans' courts to address particular concerns of veterans suffering from post traumatic stress and other conditions arising from military service. - Amends TCA Title 16. by *Ragan, *Sexton, *Eldridge. (SB3222 by *McNally, *Henry, *Burks, *Crowe, *Harper, *Massey, *Overbey, *Tate)

On motion, House Bill No. 3394 was made to conform with **Senate Bill No. 3222**; the Senate Bill was substituted for the House Bill.

Rep. Ragan moved that Senate Bill No. 3222 be passed on third and final consideration.

Rep. Watson moved that Judiciary Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Watson moved that Judiciary Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Ragan moved that **Senate Bill No. 3222** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 99
Noes..... 0

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Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 99

A motion to reconsider was tabled.

House Bill No. 3671 -- Public Funds and Financing - As introduced, requires commutation of compensation for exonerated persons to lump sum upon request. - Amends TCA Title 9, Chapter 8, Part 1. by *Turner J, *Ramsey, *Pruitt, *Sontany, *Coley, *Camper, *Cooper B, *DeBerry L, *Richardson, *Tindell, *Stewart, *Pitts, *Kernell. (*SB3142 by *Marrero)

Rep. J. Turner requested that House Bill No. 3671 be moved to the heel of the Calendar.

House Bill No. 3243 -- Jails, Local Lock-ups - As introduced, directs the board of the Tennessee corrections institute to establish criteria for determining whether to waive the minimum qualification standards to employ a jail administrator, workhouse administrator, jailer, corrections officer or guard in county jail or workhouse; and prohibits waivers for employees dishonorably discharged from the military, suffering from mental illness, convicted of domestic assault or any felony conviction. - Amends TCA Section 41-7-106. by *Matheny. (*SB2920 by *Overbey)

On motion, House Bill No. 3243 was made to conform with **Senate Bill No. 2920**; the Senate Bill was substituted for the House Bill.

Rep. Matheny moved that Senate Bill No. 2920 be passed on third and final consideration.

Rep. Ramsey moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2920 by deleting from Section 1(g) of the printed bill the language "After July 1, 2012, the board" and by substituting instead the following:

The Board

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Matheny moved that **Senate Bill No. 2920**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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VERSION**

Ayes 95
Noes..... 1
Present and not voting..... 1

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

Representatives voting no were: Moore -- 1

Representatives present and not voting were: Gilmore -- 1

A motion to reconsider was tabled.

***House Joint Resolution No. 840** -- Naming and Designating - Designates May 14-18, 2012, as "NAIA Women's Golf Championship Days" in Tennessee. by *Hawk.

Rep. Hawk moved adoption of House Joint Resolution No. 840.

Rep. Ramsey moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Joint Resolution No. 840 By deleting from the caption of the introduced legislation the language "NAIA Women's Golf Championship Days" and by substituting instead the language "NAIA Women's Golf National Championship Days".

AND FURTHER AMEND by deleting from the fourth clause of the preamble the language "one hundred twenty-nine athletes" and by substituting instead the language "one hundred forty-four athletes".

AND FURTHER AMEND by deleting from the first resolving clause the language "NAIA Women's Golf Championship Days" and by substituting instead the language "NAIA Women's Golf National Championship Days".

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Hawk moved adoption of **House Joint Resolution No. 840**, which motion prevailed by the following vote:

Ayes 98
Noes..... 0

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Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “present and not voting” on **Senate Bill No. 2920** and have this statement entered in the Journal: Rep(s). Camper.

REGULAR CALENDAR, CONTINUED

***House Bill No. 3030** -- Public Works Projects - As introduced, increases threshold for public works that require a registered architect, registered engineer, or registered landscape architect from \$25,000 to \$150,000; increases the \$150,000 amount by CPI every odd-numbered year. - Amends TCA Title 62, Chapter 2. by *Hawk. (SB2871 by *Southerland)

On motion, House Bill No. 3030 was made to conform with **Senate Bill No. 2871**; the Senate Bill was substituted for the House Bill.

Rep. Hawk moved that Senate Bill No. 2871 be passed on third and final consideration.

Rep. Ramsey moved that State and Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Hawk moved that **Senate Bill No. 2871** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley,

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Sontany, Sparks, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

Representatives present and not voting were: Dean -- 1

A motion to reconsider was tabled.

***House Bill No. 3478** -- Nuisances - As introduced, prohibits state and local government employees from installing or using high frequency sound emitting devices for crowd control. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8, Chapter 50; Title 39 and Title 47, Chapter 18. by *Evans. (SB3278 by *Kelsey)

Rep. Evans moved that House Bill No. 3478 be passed on third and final consideration.

Rep. Bass moved the previous question.

Rep. Bass moved that the motion for previous question be withdrawn, which motion prevailed.

After further discussion, Rep. M. Turner moved the previous question, which motion prevailed.

Rep. Evans moved that **House Bill No. 3478** be passed on third and final consideration, which motion failed by the following vote:

Ayes	48
Noes.....	18
Present and not voting.....	18

Representatives voting aye were: Alexander, Brooks H, Brooks K, Brown, Butt, Casada, Cooper, Curtiss, Dunn, Evans, Faison, Fitzhugh, Floyd, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Hawk, Hill, Johnson C, Johnson P, Kernell, Lollar, Matheny, McDaniel, Miller D, Moore, Naifeh, Niceley, Odom, Parkinson, Pody, Pruitt, Ramsey, Rich, Richardson, Sargent, Shaw, Shipley, Sparks, Tindell, Todd, Towns, Turner J, Turner M, Windle -- 48

Representatives voting no were: Bass, Cobb, DeBerry J, DeBerry L, Elam, Eldridge, Ford, Harmon, Hensley, Hurley, Keisling, Lundberg, Marsh, McDonald, Sexton, Weaver, Williams K, Williams R -- 18

Representatives present and not voting were: Armstrong, Campbell, Coley, Dean, Dennis, Favors, Haynes, Holt, McCormick, McManus, Powers, Ragan, Shepard, Stewart, Swann, Tidwell, Watson, White -- 18

House Bill No. 3478, having failed to receive a constitutional majority, was thereby referred to the Committee on Calendar and Rules.

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***House Bill No. 3517** -- Criminal Offenses - As introduced, revises definitions of fetus as victim for criminal homicide and assaults to remove viability requirement and include an embryo; revises legislative intent statement. - Amends TCA Title 39, Chapter 13. by *Evans. (SB3412 by *Beavers)

Rep. Evans moved that House Bill No. 3517 be passed on third and final consideration.

Rep. Watson moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3517 by deleting all language after the enacting clause and substitute instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-13-214, is amended by deleting subsection (a) in its entirety and substituting in its place the following:

(a) For the purposes of this part, "another" and "another person" include a human embryo or fetus at any stage of gestation in utero, when any such term refers to the victim of any act made criminal by this part.

SECTION 2. Tennessee Code Annotated, Section 39-13-214, is amended by deleting subsection (c) in its entirety and substituting in its place the following:

(c) Nothing in subsection (a) shall apply to any act or omission by a pregnant woman with respect to an embryo or fetus with which she is pregnant, or to any lawful medical or surgical procedure to which a pregnant woman consents, performed by a health care professional who is licensed to perform such procedure.

SECTION 3. Tennessee Code Annotated, Section 39-13-107, is amended by deleting subsection (a) in its entirety and substituting in its place the following:

(a) For the purposes of this part, "another," "individuals," and "another person" include a human embryo or fetus at any stage of gestation in utero, when any such term refers to the victim of any act made criminal by this part.

SECTION 4. Tennessee Code Annotated, Section 39-13-107, is amended by deleting subsection (c) in its entirety and substituting in its place the following:

(c) Nothing in subsection (a) shall apply to any act or omission by a pregnant woman with respect to an embryo or fetus with which she is pregnant, or to any lawful medical or surgical procedure to which a pregnant woman consents, performed by a health care professional who is licensed to perform such procedure.

SECTION 5. This act shall take effect July 1, 2012, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

WEDNESDAY, APRIL 18, 2012 – SEVENTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. L. DeBerry moved the previous question, which motion prevailed.

Rep. Evans moved that **House Bill No. 3517**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	80
Noes.....	18

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Montgomery, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Swann, Tindell, Todd, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 80

Representatives voting no were: Brown, Camper, Cooper, Favors, Gilmore, Hardaway, Jones, Kernell, Miller L, Moore, Odom, Pruitt, Richardson, Sontany, Stewart, Tidwell, Towns, Turner J -- 18

A motion to reconsider was tabled.

House Bill No. 3275 -- Corporations, For Profit - As introduced, extends the attorney general and reporter's deadline of objection for any proposed public benefit hospital conveyance transaction from 45 days to 60 days and provides an additional 45-day extension to review and consider the transaction. - Amends TCA Title 48, Chapter 68. by *Harrison, *Sargent. (*SB2912 by *Overbey)

On motion, House Bill No. 3275 was made to conform with **Senate Bill No. 2912**; the Senate Bill was substituted for the House Bill.

Rep. Harrison moved that Senate Bill No. 2912 be passed on third and final consideration.

Rep. Lundberg moved that Commerce Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Harrison moved that **Senate Bill No. 2912** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes.....	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock,

5065

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McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

House Bill No. 651 -- Administrative Procedure (UAPA) - As introduced, increases from five to 10 the number of persons required to petition agency for adoption or repeal of regulation. - Amends TCA Title 4. by *Cobb, *Rich, *Shipley. (*SB233 by *Watson)

Rep. Cobb moved that House Bill No. 651 be passed on third and final consideration.

Rep. Rich moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 651 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-29-235(a), is amended by adding the following language as a new, appropriately designated subdivision:

() Doe Mountain recreation authority, created by § 11-27-103;

SECTION 2. Tennessee Code Annotated, Section 4-29-235(a), is further amended by adding the following language as a new, appropriately designated subdivision:

() Board of appeals for the department of human resources, created by § 8-30-108;

SECTION 3. Tennessee Code Annotated, Section 4-29-237(a), is amended by deleting subdivision (7) in its entirety.

SECTION 4. Notwithstanding § 4-29-112 or any other law to the contrary, the civil service commission, created by § 8-30-102, shall terminate and shall cease to exist upon the effective date of this act, as provided in Section 5.

SECTION 5. Section 1 of this act shall take effect upon becoming a law, the public welfare requiring it. All other sections of this act shall take effect April 1, 2013, the public welfare requiring it.

On motion, Government Operations Committee Amendment No. 1 was adopted.

Rep. Cobb moved that **House Bill No. 651**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

5066

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Ayes 96
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

House Bill No. 2537 -- Sunset Laws - As introduced, extends the judicial performance evaluation commission, June 30, 2013. - Amends TCA Title 4, Chapter 29 and Title 17, Chapter 4, Part 2. by *Cobb, *Shipley, *Rich. (*SB2345 by *Bell)

Rep. Cobb moved that **House Bill No. 2537** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 99
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 99

A motion to reconsider was tabled.

***House Joint Resolution No. 750** -- Naming and Designating - Recognizes September 17 as U.S. Constitution Day; urges enhanced classroom instruction about the U.S. Constitution. by *Haynes.

Rep. Haynes moved adoption of **House Joint Resolution No. 750**, which motion prevailed by the following vote:

Ayes 99
Noes..... 0

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Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 99

A motion to reconsider was tabled.

House Bill No. 2938 -- Economic and Community Development - As introduced, requires the state agency responsible for processing applications for grant funds relating to workforce development to accept electronic signatures in the same manner as it accepts physical signatures. - Amends TCA Title 4, Chapter 3, Part 14; Title 47, Chapter 10 and Title 50. by *Sexton, *Marsh. (*SB2727 by *Kelsey)

On motion, House Bill No. 2938 was made to conform with **Senate Bill No. 2727**; the Senate Bill was substituted for the House Bill.

Rep. Sexton moved that Senate Bill No. 2727 be passed on third and final consideration.

Rep. Sargent moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2727 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-3-1405, is amended by adding the following language as a new subsection thereto:

(j) To the extent permitted by any federal law or rule, regulation, guideline, or advisory opinion of the internal revenue service, the department shall accept and process any IRS Form 8850, or any successor to such form, that is submitted with electronic signatures in the same manner as the department accepts such forms when submitted with physical signatures if such form is submitted to the department by mail, facsimile, or e-mail copy. For purposes of this subsection (j), "electronic signatures" includes a physical printout of an electronically signed IRS Form 8850 indicating that the signature field is "signed electronically".

SECTION 2. This act shall take effect January 1, 2013, the public welfare requiring it.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

WEDNESDAY, APRIL 18, 2012 – SEVENTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

Rep. Sexton moved that **Senate Bill No. 2727**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 98
Noes 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **Senate Bill No. 2727** and have this statement entered in the Journal: Rep(s). M. Turner.

REGULAR CALENDAR, CONTINUED

***House Bill No. 3322** -- Economic and Community Development - As introduced, requires the commissioner of economic and community development and the commissioner of revenue to study and report to the general assembly the effect of tax incentives on economic development in cities and counties; report to cover past five years; report due September 15, 2012. - Amends TCA Title 67. by *Watson, *Brooks K. (SB3174 by *Bell, *Berke, *Stewart)

On motion, House Bill No. 3322 was made to conform with **Senate Bill No. 3174**; the Senate Bill was substituted for the House Bill.

Rep. Watson moved that Senate Bill No. 3174 be passed on third and final consideration.

Rep. McManus moved that Commerce Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Watson moved that **Senate Bill No. 3174** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes 0

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Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

House Bill No. 2629 -- Professions and Occupations - As introduced, authorizes law enforcement officials on duty to help persons gain entry to their locked motor vehicle without being licensed as locksmiths. - Amends TCA Section 62-11-105. by *Swann, *Marsh. (*SB2284 by *Faulk)

Further consideration of House Bill No. 2629 previously considered on April 16, 2012, at which time it was reset for today's Regular Calendar.

BILL HELD ON DESK

Rep. Swann moved that House Bill No. 2629 be held on the Clerk's desk, which motion prevailed.

REGULAR CALENDAR, CONTINUED

House Bill No. 2562 -- Orders of Protection - As introduced, authorizes a judge to order parties to mediation who have sworn petitions for orders of protection against one another. - Amends TCA Title 36, Chapter 3, Part 6. by *Hardaway, *Parkinson. (*SB2388 by *Campfield)

Further consideration of House Bill No. 2562 previously considered on April 9, 2012, April 16, 2012 and April 17, 2012, at which time the House withdrew Amendment(s) No(s). 1 and it was reset for today's Regular Calendar.

Rep. Hardaway moved that House Bill No. 2562 be passed on third and final consideration.

Rep. Coley moved that the House reconsider its action in withdrawing Judiciary Committee Amendment No. 1, which motion prevailed.

Rep. Coley moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2562 by deleting all language after the enacting clause and by substituting instead the following:

5070

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SECTION 1. Tennessee Code Annotated, Title 36, Chapter 3, Part 6, is amended by adding the following as a new section:

Section 36-3-6__

(a) If an order of protection permits the respondent to have contact with the petitioner with respect to the visitation of minor children, or for another reason approved by the court, such contact shall not constitute a violation of the protection order under § 36-3-612 or § 39-13-113 if:

(1) The contact occurs at the date and time and in the manner specified in the order; and

(2) The respondent commits no other violations during the period of contact.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

BILL RE-REFERRED

Rep. Todd moved that House Bill No. 2562 be re-referred to the Calendar and Rules Committee, which motion prevailed.

REGULAR CALENDAR, CONTINUED

House Bill No. 3671 -- Public Funds and Financing - As introduced, requires commutation of compensation for exonerated persons to lump sum upon request. - Amends TCA Title 9, Chapter 8, Part 1. by *Turner J, *Ramsey, *Pruitt, *Sontany, *Coley, *Camper, *Cooper B, *DeBerry L, *Richardson, *Tindell, *Stewart, *Pitts, *Kernell. (*SB3142 by *Marrero)

Further consideration of House Bill No. 3671 previously considered on today's Calendar.

Rep. J. Turner moved that House Bill No. 3671 be passed on third and final consideration.

Rep. J. Turner moved that House Bill No. 3671 be reset for the Regular calendar on April 19, 2012 which motion prevailed.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 2650** -- Lottery, Corporation - As introduced, requires the general shortfall lottery subaccount to be maintained at \$100 million instead of at \$50 million; requires comptroller to make an annual report on the adequacy of reserves. - Amends TCA Section 4-51-111. by *Brooks H. (SB2515 by *Gresham, *Tate, *McNally, *Henry, *Watson)

Senate Amendment No. 1

AMEND House Bill No. 2650 by deleting the language "general shortfall reserve account" in the amendatory language of Section 2 of the bill and by substituting instead the language "general shortfall reserve subaccount".

Rep. H. Brooks moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 2650**, which motion prevailed by the following vote:

Ayes	86
Noes.....	9

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Fitzhugh, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 86

Representatives voting no were: Brown, Cooper, Favors, Hardaway, Jones, McDonald, Sontany, Towns, Turner M -- 9

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. Hardaway voted "no" on **House Bill No. 2650**.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “no” on **House Bill No. 2650** and have this statement entered in the Journal: Rep(s). Parkinson and Stewart.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “no” on **House Bill No. 2650** and have this statement entered in the Journal: Rep(s). Richardson and J. Turner.

MESSAGE CALENDAR, CONTINUED

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 3633** -- Beer - As introduced, authorizes the beer boards in the four major counties to suspend or revoke the beer permit if the alcoholic beverage commission suspends or revokes the alcohol license of the establishment; requires the commission to notify the beer board of such action taken by the commission. - Amends TCA Title 57, Chapter 4, Part 2 and Title 57, Chapter 5, Part 1. by *Floyd, *Hardaway, *Dean, *McCormick, *Haynes, *White. (SB3581 by *Watson, *Massey)

Senate Amendment No. 4

AMEND House Bill No. 3633 By deleting the language "within any county having a population of not less than three hundred thirty-six thousand four hundred (336,400) nor more than four hundred thirty-two thousand three hundred (432,300) according to the 2010 federal census or any subsequent federal census" in subdivision (n)(1) of Section 1 and by substituting instead the language "within any county included within subsection (p)".

AND FURTHER AMEND by deleting the language "within any county having a population of not less than three hundred thirty-six thousand four hundred (336,400) nor more than four hundred thirty-two thousand three hundred (432,300), according to the 2010 federal census or any subsequent federal census" in subdivision (o)(1) of Section 1 and by substituting instead the language "within any county included within subsection (p)".

AND FURTHER AMEND by deleting the language "within any county having a population of not less than three hundred thirty-six thousand four hundred (336,400) nor more than four hundred thirty-two thousand three hundred (432,300), according to the 2010 federal census or any subsequent federal census" in subdivisions (b)(1) and (c)(1)(A) of Section 2, and by substituting instead the language "within any county included within subsection (d)".

AND FURTHER AMEND by adding the following language as a new subsection (p) to Section 1:

(p) The pilot project established by subsections (n) and (o) of this section shall only apply in counties having a population, according to the 2010 federal census or any subsequent federal census, of:

not less than:

6,800

19,100

22,600

32,200

35,600

51,400

56,800

336,400

432,200

nor more than:

6,900

19,150

22,675

32,300

35,700

51,500

56,900

336,500

432,300

AND FURTHER AMEND by adding the following language as a new subsection (d) to Section 2 and redesignating subsection (d) as subsection (e):

(d) The pilot project established by subsections (b) and (c) of this section shall only apply in counties having a population, according to the 2010 federal census or any subsequent federal census, of:

not less than:

6,800

19,100

22,600

32,200

35,600

51,400

56,800

336,400

432,200

nor more than:

6,900

19,150

22,675

32,300

35,700

51,500

56,900

336,500

432,300

Rep. Floyd moved that the House concur in Senate Amendment(s) No(s). 4 to **House Bill No. 3633**, which motion prevailed by the following vote:

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Ayes 91
Noes..... 0
Present and not voting..... 3

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Niceley, Odom, Parkinson, Pitts, Pruitt, Ragan, Ramsey, Rich, Richardson, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 91

Representatives present and not voting were: Butt, Pody, Powers -- 3

A motion to reconsider was tabled.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 369 Rep(s). Niceley, Dennis, Hurley, Matheny, Sexton, Forgety, Hawk, Lundberg, McManus, Faison, D. Miller, Sanderson, Eldridge, Wirgau and Matlock as prime sponsor(s).

House Bill No. 1854 Rep(s). Armstrong, Brown and Eldridge as prime sponsor(s).

House Bill No. 2629 Rep(s). Roach and Ford as prime sponsor(s).

House Bill No. 2725 Rep(s). C. Johnson, Sexton, Hensley, Hawk, Hall, H. Brooks, Sparks, K. Brooks, Ramsey, Alexander, Matheny, Eldridge, R. Williams, White, Halford, Casada, McCormick, Coley and Campbell as prime sponsor(s).

House Bill No. 2865 Rep(s). B. Cooper as prime sponsor(s).

House Bill No. 3472 Rep(s). Harrison as prime sponsor(s).

House Bill No. 3478 Rep(s). Towns as prime sponsor(s).

House Bill No. 3671 Rep(s). Hardaway, Favors and Gilmore as prime sponsor(s).

**MESSAGE FROM THE SENATE
April 18, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 533, 734, 735, 736, 737, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750 and 806; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
April 18, 2012**

The Speaker announced that she had signed the following: Senate Joint Resolution(s) No(s). 533, 734, 735, 736, 737, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750 and 806.

**MESSAGE FROM THE SENATE
April 18, 2012**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 679, 869, 871 and 953; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ENGROSSED BILLS
April 18, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 3381; and House Joint Resolution(s) No(s). 773, 843, 934, 959, 961, 962, 963, 964, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976 and 977.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 18, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2403; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 18, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2548; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 18, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2744; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 18, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3274; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 18, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2913; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 18, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1069, 2222, 2459, 2620, 2671, 2750, 2752, 2859, 2890, 2895, 3237, 3257 and 3283; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ENGROSSED BILLS
April 18, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 651, 2389, 2537, 3517; also House Joint Resolution(s) No(s). 750 and 840.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENROLLED BILLS
April 18, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 247, 248, 249, 250, 251, 252, 253, 254 and 255; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED
April 18, 2012**

The Speaker announced that she had signed the following: House Resolution(s) No(s). 247, 248, 249, 250, 251, 252, 253, 254 and 255.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENROLLED BILLS
April 18, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 679, 869, 871 and 953; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED
April 18, 2012**

The Speaker announced that she had signed the following: House Joint Resolution(s) No(s). 679, 869, 871 and 953.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 18, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1429, 1864, 2241, 2274, 2462, 2463, 2587, 2596, 2755, 2852, 2879, 2970, 3062, 3165, 3179, 3257, 3345, 3549, 3602, 3608, 3801 and 3803; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 18, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 429, 2215, 2372, 2384, 2442, 2453, 2639, 2645, 2683, 2856, 2860, 2984, 2986, 3009, 3129, 3282, 3637, 3638, 3746, 3828, 3841, 3846, 3857, 3862, 3864, 3866 and 3868; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK
April 18, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 429, 2215, 2372, 2384, 2442, 2453, 2639, 2645, 2683, 2856, 2860, 2984, 2986, 3009, 3129, 3282, 3637, 3638, 3746, 3828, 3841, 3846, 3857, 3862, 3864, 3866 and 3868; for his action.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENROLLED BILLS
April 18, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 1069, 2222, 2459, 2620, 2650, 2671, 2750, 2752, 2859, 2890, 2895, 3237, 3257, 3283 and 3633; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 18, 2012**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 679, 869, 871 and 953; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 18, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 420, 1180, 2271, 2519, 2911, 2957, 2958, 2988, 3150, 3270, 3553, 3632, 3642 and 3663; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 420** -- Mental Health, Dept. of - As introduced, changes the requirement that the statewide planning and policy council meet at least quarterly to meeting at least twice each year. - Amends TCA Title 33. by *Massey, *Overbey, *Marrero. (HB442 by *Haynes, *Richardson)

***Senate Bill No. 1180** -- Education - As introduced, requires the commissioner of education and executive director of the Tennessee higher education commission to present annual progress reports on Tennessee Challenge 2000 goals by March 15 to the select joint committee on education and education committees of the house and senate. - Amends TCA Title 8 and Title 49. by *Gresham, *Summerville. (HB1507 by *Maggart)

WEDNESDAY, APRIL 18, 2012 – SEVENTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

***Senate Bill No. 2271** -- Insurance Companies, Agents, Brokers, Policies - As introduced, creates requirements for issuance of certificates of insurance; clarifies the effect of such certificates; and authorizes oversight by the commissioner of commerce and insurance regarding regulation and assessing fines in relation thereto. - Amends TCA Title 56. by *Tracy, *Ketron. (HB2454 by *Sargent, *Eldridge)

Senate Bill No. 2519 -- Guardianship - As introduced, specifies rights of respondent to petition for appointment of a conservator. - Amends TCA Title 30, Chapter 3; Title 33; Title 34 and Title 71. by *Beavers. (*HB2648 by *Odom)

***Senate Bill No. 2911** -- Judgments - As introduced, requires that funds taken from a person who is protected by the federal Servicemembers Civil Relief Act in a default judgment be returned to that person upon a finding that the person is so protected. - Amends TCA Title 20; Title 25; Title 26; Title 27; Title 29; Title 36; Title 47 and Title 67. by *Berke, *Barnes, *Marrero, *Stewart. (HB3262 by *Camper)

Senate Bill No. 2957 -- Children - As introduced, states that training for guardians ad litem shall include early childhood, child and adolescent development provided by a qualified professional; requires permanency hearings for children in foster care to be held within 12 months of previous permanency hearing. - Amends TCA Section 37-1-149; Section 37-2-409 and Section 37-1-129. by *Barnes. (*HB3071 by *DeBerry J)

Senate Bill No. 2958 -- Children - As introduced, requires petitions in juvenile court cases to list the legal parents and any persons alleged to be the biological father of the child; requires a copy of the summons in such cases be sent to the legal parents and any persons alleged to be the biological father of the child. - Amends TCA Section 37-1-121 and Section 37-1-120. by *Barnes. (*HB3070 by *DeBerry J, *Jones S)

Senate Bill No. 2988 -- Criminal Procedure - As introduced, allows a judge to sentence a first-time offender of domestic assault to attend a 24-week intervention program to satisfy an alternative sentencing program provided the defendant does not have prior domestic or sexual offense convictions in this state or any other state. - Amends TCA Title 39 and Title 40. by *Burks, *Harper, *Marrero. (*HB2990 by *Jones S)

Senate Bill No. 3150 -- Criminal Offenses - As introduced, requires attorney general to report annually to judiciary committee of each chamber of the general assembly the number of persons prosecuted and convicted of unlawful drawing of real estate transfer documents. - Amends TCA Title 39 and Title 66. by *Marrero. (*HB3287 by *Richardson, *Lollar)

Senate Bill No. 3270 -- Education - As introduced, states that LEA shall allocate amount equal to state funds per pupil for education of children in mental health facilities and revises criteria for residential mental health facility to receive such funding. - Amends TCA Section 49-3-370. by *Tracy, *Ketron, *Burks. (*HB3496 by *Hensley)

Senate Bill No. 3553 -- Schools, Charter - As introduced, deletes an obsolete provision that required a charter school task force to file a report that has now been filed. - Amends TCA Title 49. by *Tracy. (*HB3583 by *Carr)

Senate Bill No. 3632 -- Education - As introduced, enacts the "Religious Viewpoints Antidiscrimination Act." - Amends TCA Title 49, Chapter 6. by *Roberts, *Summerville, *Ramsey. (*HB3616 by *Holt, *Casada, *Butt, *Cobb, *Faison)

WEDNESDAY, APRIL 18, 2012 – SEVENTY-FIFTH LEGISLATIVE DAY UNOFFICIAL VERSION

***Senate Bill No. 3642** -- Criminal Procedure - As introduced, clarifies that a defendant cannot get records expunged if convicted of an offense other than the charged offense or convicted of one offense in a multi-count indictment, including lesser included offenses. - Amends TCA Title 40, Chapter 32, Part 1. by *Faulk, *Ramsey, *Ketron. (HB3700 by *Dennis)

Senate Bill No. 3663 -- Tattoos and Piercings - As introduced, adds recordkeeping and other requirements for tattooing of minors, increases penalties for violations related to tattooing of minors. - Amends TCA Title 37; Title 39, Chapter 15, Part 4 and Title 62, Chapter 38, Part 2. by *Kyle, *Burks. (*HB2198 by *Parkinson)

ROLL CALL

The roll call was taken with the following results:

Present..... 99

Representatives present were Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 99

RECESS MOTION

On motion of Rep. McCormick, the House stood in recess until 9:00 a.m., Thursday, April 19, 2012.